

ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY
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Attorney for New Jersey Department
of Environmental Protection, the
Commissioner, NJDEP, and the Administrator
of the New Jersey Spill Compensation Fund

By: Rachel Jeanne Lehr
Deputy Attorney General
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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

_____	:	Hon. Robert D. Drain,
IN RE:		U.S.B.J.
DELPHI CORPORATION	:	
		Chapter 11
Debtor.	:	
_____		Case No. 05-44481

AMENDED ADMINISTRATIVE CLAIM

1. The Attorney General of New Jersey, by Rachel Jeanne Lehr, Deputy Attorney General, appearing, files this Administrative Claim for the New Jersey Department of Environmental Protection ("NJDEP"), a principal department within the Executive Branch of the State government, the Commissioner of the Department of Environmental Protection, and the Administrator of the New Jersey Spill Compensation Fund.

2. The Attorney General of New Jersey is authorized to make this Administrative Claim for DEP and the Administrator. The undersigned does so without the authority to waive the State of New Jersey's or its officers' sovereign immunity under the United

States Constitution or to consent to this Court's exercise of jurisdiction over the State of New Jersey or its officers. Accordingly, nothing in this pleading is intended to waive the State of New Jersey's or its officials' immunity from suit in federal court under its sovereign immunity in the United States Constitution.

3. They are making this Claim for the recovery of oversight costs they have incurred under applicable federal and state environmental statutes and regulations including the New Jersey Spill Compensation and Control Act ("the Spill Act"), N.J.S.A. 58:10-23.11 to -23.24., at the following sites ("Sites") for which the Debtor is liable:

- a. Delphi Interior and Lighting Systems
1445 Parkway Avenue
Ewing Township
\$53,000
- b. GMC Delco Remy Division Plant 12
760 Jersey Avenue
New Brunswick
\$4,165.15

4. DEP has incurred or will incur oversight costs totaling \$57,165.15 for these Sites, for which DEP has not been reimbursed. The Debtor is responsible for hazardous substances discharged at the Sites, said substances having entered onto the soils and into waters of the State of New Jersey.

5. Pursuant to N.J.S.A. 58:10-23.11u.b.(4), the Debtor is also strictly liable, jointly and severally, without regard to fault, for all restoration and replacement costs, including reasonable assessment costs, the Department has incurred, and will incur, for the Sites.

6. The Department, the Administrator, and the Commissioner reserve the right to amend this Proof of Claim from time-to-time to include any additional costs or damages they may incur or discover during the pendency of these bankruptcy proceedings.

7. No judgments have been rendered on these claims.

8. The Debtor has made no payments on these claims.

9. These claims are not subject to any set-off or counterclaim.

10. This Proof of Claim is not to be construed as a waiver of any other claim or right, including penalties or tax claims, which DEP, any other agency or instrumentality of the State may have against the Debtor, the Debtor's estate or any other person.

11. A duplicate copy of each notice relating to this claim

should be forwarded to the undersigned attorneys for DEP and the
Administrator, whose address is set forth above.

Respectfully submitted,

ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY
Attorney for Claimants

By: /S/ Rachel Jeanne Lehr
Rachel Jeanne Lehr
Deputy Attorney General

Dated: April 15, 2010